



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-119
Track Ruidoso Downs
Ruling Date: 8/12/2017

Licensee: SHULTS, CHARLES DUKE
License Type: 2015 3 Year Trainer Applicant Id: 5343
License Number: 278064

Ruling # 2017-RUI-119

Action Type: Initial Ruling

Ruling:

Trainer C. Duke Shults having telephonically waived his rights to a 10 day notice and formal hearing before the Board of Stewards on August 6, 2017, for failing to have the owner licensed for entry "THE HITT MAN", which resulted in a late scratch from the 5th race on July 28, 2017, at Ruidoso Downs.

For this violation, the Board of Stewards assessed C. Duke Shults a fine in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before September 12, 2017, in accordance with 15.2.3.8 (B)(3) (8) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension

Licensee is found to be in violation of:

15.2.5.12(X) Horse ineligible Which states in pertinent part "A horse shall be ineligible to start in a race when its Owner, Lessor, and/or Trainer have not completed the licensing procedures required by the Commission".

This ruling is written in accordance with:

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/ 15.2.1.9(B)(9)(b):

By Order of The Ruidoso Downs Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-120
Track Ruidoso Downs
Ruling Date: 8/12/2017

Licensee: VILLANUEVA, JUAN CARLOS

License Type: Applicant Id: 34058
License Number:

Ruling # 2017-RUI-120

Action Type: Initial Ruling

Ruling:

Jockey, **J C Villanueva**, having been summoned **and having appeared** before Board of Stewards **on August 6, 2017**, for careless riding during the running of the **10th race on August 4, 2017, at Ruidoso Downs**, while **aboard "Princess Hero" which resulted in his mount being disqualified from third place and unplaced**. (drifed into the path of the 4, causing the 4 horse to clip heels and unseat its rider.)

The Board of Stewards hereby assess **J C Villanueva** a suspension of **3 race days (August 18,19,20, 2017) J C Villanueva** is allowed to ride designated races.

Licensee is found in violation of:

15.2.5.13(E)(2)(a) **Post to Finish** Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.5.13(E)(3)(a) **Thoroughbred Races** When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede, or intimidate any other horse, it is a foul."

This ruling is written in accordance with:

15.2.5.13(E)(3)(c) **NMAC: Post to Finish** Which states in pertinent part that "If the Stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey."

15.2.5.13(E)(3)(d) **NMAC: Post to Finish** The offending horse may be disqualified, if in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful or the result of careless riding.

15.2.5.13(E)(4)(a) **NMAC Disqualification**. When the stewards determine that a horse shall be disqualified for interference, they may place the offending horse behind such horse as in their judgment it interfered with, or they may place it last

15.2.1.8(B)(1) **COMMISSION GENERAL AUTHORITY**

15.2.3.8 B (3)(a)(f) **Stewards Disciplinary Action**

15.2.3.8 B (1) (a)(c)(d) **Stewards General Authority**

16.47.1.8 (T) **KNOWLEDGE OF RULES**

16.47.1.3 **Statutory Authority**

16.47.1.8 (A)(1)(2) **License Required**

16.47.1.8(N) **Last Known Address**

16.47.1.8(L)(1)(e) **Grounds For Disciplinary Measures**

15.2.1.9(B)(9)(a) **Failure to Appeal**

15.2.1.9(B)(9)(b): **Appeal Procedures** Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-121
Track Ruidoso Downs
Ruling Date: 8/12/2017

Licensee: CHIRINOS, ROIMES SAID
License Type: 2016 3 Year Jockey Applicant Id: 158410
License Number: 280561

Ruling # 2017-RUI-121

Action Type: Initial Ruling

Ruling:

Jockey, Roimes Chirinos, having been summoned **and having appeared** before Board of Stewards **on August 12, 2017**, for careless riding during the running of the **2nd race on August 11, 2017, at Ruidoso Downs**, while **aboard "Shesa Prowler" which resulted in his mount being disqualified from third place to fifth place.** (drifted in down the lane under right hand whip pushing #4 into the path of #8 causing him to check and lose position .)

The Board of Stewards hereby assess Roimes Chirinos a suspension of **3 race days (August 20,25,26, 2017)** Roimes Chirinos is allowed to ride designated races.

Licensee is found in violation of:

15.2.5.13(E)(2)(a) Post to Finish Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.5.13(E)(3)(a) Thoroughbred Races When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede, or intimidate any other horse, it is a foul."

This ruling is written in accordance with:

15.2.5.13(E)(3)(c) NMAC: Post to Finish Which states in pertinent part that "If the Stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey."

15.2.5.13(E)(3)(d) NMAC: Post to Finish The offending horse may be disqualified, if in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful or the result of careless riding.

15.2.5.13(E)(4)(a) NMAC Disqualification. When the stewards determine that a horse shall be disqualified for interference, they may place the offending horse behind such horse as in their judgment it interfered with, or they may place it last

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY

15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (a)(c)(d)Stewards General Authority

16.47.1.8 (T) KNOWLEDGE OF RULES

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required

16.47.1.8(N) Last Known Address

16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures

15.2.1.9(B)(9)(a)Failure to Appeal

15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

This ruling is written in accordance with:

15.2.5.13(E)(3)(c) Post to Finish/15.2.5.13(E)(3)(d) Post to Finish/15.2.5.13(E)(4)(a) Disqualification/ 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority / 16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-122
Track Ruidoso Downs
Ruling Date: 8/12/2017

Licensee: COOKE, JOE DAN

License Type: Applicant Id: 11824
License Number:

Ruling # 2017-RUI-122

Action Type: Initial Ruling

Ruling:

DVM Joe Cooke having been duly notified and having appeared with attorney Gary C. Mitchell before the Board of Stewards on August 11, 2017, concerning a hearing that was continued at the request of Gary C. Mitchell from July 27, 2017. The hearing was in regard to an affidavit from UC Davis (official testing laboratory for the NMSRC) for the confirmed positive for the drug "Xylazine" (drug class 3, penalty B) detected in the blood of horse "Tizpat" (Test Sample NM23753), who finished 1st place in the 8th race on January, 31, 2017, at Sunland Park Racetrack in Sunland Park, NM.

Mitigating Circumstances: Dr. Cooke has had no previous violations.

Aggravating circumstances:

1. Test Sample NM23753 was confirmed positive by UC Davis for the drug "Xylazine" at a level of 800 pg/ml, which was above the allowable limit of 200 pg/ml.
2. Dr. Cooke testified that he did administer a shot four hours prior to post time to the horse "Tizpat".
3. Dr. Cooke testified that veterinarian technicians pre-draw syringes prior to the start of that day.
4. Dr. Cooke testified that he could not recall the name of the technician that drew up the syringes on that day.
5. Dr. Cooke testified that he did not know the exact amount of liquid in the syringe that he administered to "Tizpat" four hours prior to the race.
6. Test Sample NM23753 was tested for the drug "furosemide /lasix" by UC Davis and failed to confirm the present of the drug "furosemide /lasix".
7. Dr. Clements testified that Xylazine is a fast acting drug that lasts up to 1.5 to 4 hours.

After considering the aggravating circumstances, the Board of Stewards assess Joe Cooke a fine in the amount of five hundred dollars (\$500) and is ordered to make restitution for the loss of purse money to owner Fred Danley in the amount of six thousand three hundred and sixty dollars (\$6,360). The fine and restitution is to be paid on or before September 12, 2017, in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay the fine and restitution within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of 15.2.6.8 (B) (7) Veterinary Practices Treatment Restrictions / 15.2.6.8 (B) (8) Veterinary Practices Treatment Restrictions 15.2.6.8 (B) (9) Veterinary Practices Treatment Restrictions /15.2.6.9 (C) (1) MEDICATION RESTRICTIONS /15.2.6.9 (C) (3) MEDICATION RESTRICTIONS /16.47.1.8 (U)(1) PROTECTION OF HORSES 15.2.6.9 (D) (3) Furosemide This ruling is written in accordance with: 16.47.1.8 (L)(i) NMAC: Conduct Detrimental to Horse Racing/15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-123
Track Ruidoso Downs
Ruling Date: 8/13/2017

Licensee: RAMIREZ, RICARDO
License Type: 2015 3 Year Jockey Applicant Id: 31818
License Number: 277970

Ruling # 2017-RUI-123

Action Type: Initial Ruling

Ruling:

Jockey **Ricardo Ramirez**, having been summoned and having appeared before the Board of Stewards on **August 11, 2017**, for failure to make sufficient effort to maintain his lane while aboard "**JESSE JRS TAMBIEN**", which resulted in the disqualification of his mount from third place to 8th place, in the **8th race on August 6, 2017, at Ruidoso Downs**.

The Board of Stewards hereby assess, **Ricardo Ramirez**, a fine in the amount of **two hundred dollars, (\$200.00)**. The fine is to be paid on or before **September 13, 2017**, in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.13(E)(3)(d) NMAC: Post to Finish (d) In a straightaway race, every horse must maintain position as nearly as possible in the lane in which it starts. If a horse is ridden, drifts or swerves out of its lane in such a manner that it interferes with, impedes or intimidates another horse, it is a foul and may result in the disqualification of the offending horse.

This ruling is written in accordance with:

15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys
15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/ 15.2.1.9(B)(9)(b):

By Order of The Ruidoso Downs Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-124
Track Ruidoso Downs
Ruling Date: 8/13/2017

Licensee: HUDSON, KALIE SUSAN

License Type: 2017 1 Year Exercise P Applicant Id: 30548
License Number: 286266

Ruling # 2017-RUI-124

Action Type: Initial Ruling

Ruling:

Exercise Person Kayie Hudson, is hereby summarily suspended for **refusing to submit to a drug test as requested by Ruidoso Downs Security on August 10, 2017**. Furthermore, **Ms. Hudson was excluded from Ruidoso Downs for her conduct**.

For this violation, the Board of Stewards issue Kayie Hudson the following penalty:
A summary suspension of any/all New Mexico Racing Commission licenses, effective immediately **August 13, 2017**.

During said time of applicable suspension **Kayie Hudson** is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC pending the outcome of **her hearing August 20, 2017 @9:30 a.m.** in the offices of the **Board of Stewards at Ruidoso Downs (26225 US-70, Ruidoso NM 88346)** per **15.2.1.9 (B)(3) (b) Summary Suspension and 15.2.1.9 (C)(21)(a-b) Exclusion**.

Licensee is found in violation of:

15.2.1.9(B)(3)(a) Summary Suspension Which states in pertinent part "If the Stewards determine that a licensee's action constitute an immediate danger to the public health, safety, or welfare, the Stewards may summarily suspend the licensee pending a hearing".

16.47.1.17 (C)(6) Human Drug Testing/ Restricted Activities It shall be an offense to exercise the privileges granted by a license from this commission if the licensee: refuses to submit to urine or drug testing, when notified that such testing is based on a random drug testing procedure, is based on reasonable suspicion that the person is using drugs or alcohol or is based on the licensee's acting as if in an impaired condition.

15.2.2.8(V)(1) EJECTION AND EXCLUSION An association shall immediately eject from the association grounds a person who is subject to such an exclusion order of the commission or stewards and notify the commission of the ejection.

15.2.2.8(V)(2) EJECTION AND EXCLUSION An association may eject or exclude a person for any lawful reason. An association shall immediately notify the stewards and the commission in writing of any person ejected or excluded by the association and the reasons for the ejection or exclusion.

This ruling is written in accordance:

15.2.1.9 (B)(3)(b) Summary Suspension

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47.1.8 (L)(1)(i) – Conduct Which states in pertinent part "The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures if the applicant is a person whose conduct or reputation may reflect on the honesty, and integrity of horse racing"

15.2.3.8 B (3)(A) Stewards Disciplinary Action stewards shall take notice of alleged misconduct or rule violations and initiate investigations into the matters. The stewards shall have authority to charge any licensee for a violation of these rules, to conduct hearings and to impose disciplinary action in accordance with these rules.

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-125
Track Ruidoso Downs
Ruling Date: 8/13/2017

Licensee: HERNANDEZ, DUSTIN DANIEL
License Type: 2017 1 Year Groom Applicant Id: 45965
License Number: 286269

Ruling # 2017-RUI-125

Action Type: Initial Ruling

Ruling:

Groom DUSTIN DANIEL HERNANDEZ, is hereby summarily suspended for refusing to submit to a drug test as requested by Ruidoso Downs Security on August 10, 2017. Furthermore, DUSTIN DANIEL HERNANDEZ was excluded from Ruidoso Downs for his conduct.

For this violation, the Board of Stewards issue DUSTIN DANIEL HERNANDEZ the following penalty: A summary suspension of any/all New Mexico Racing Commission licenses, effective immediately August 13, 2017.

During said time of applicable suspension DUSTIN DANIEL HERNANDEZ is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC pending the outcome of his hearing August 20, 2017@9:00 a.m. in the offices of the Board of Stewards at Ruidoso Downs (26225 US-70, Ruidoso NM 88346) , per 15.2.1.9 (B)(3)(b) Summary Suspension and 15.2.1.9 (C)(21)(a-b) Exclusion.

Licensee is found in violation of:

15.2.1.9(B)(3)(a) Summary Suspension Which states in pertinent part "If the Stewards determine that a licensee's action constitute an immediate danger to the public health, safety, or welfare, the Stewards may summarily suspend the licensee pending a hearing".

16.47.1.17 (C)(6) Human Drug Testing/ Restricted Activities It shall be an offense to exercise the privileges granted by a license from this commission if the licensee: refuses to submit to urine or drug testing, when notified that such testing is based on a random drug testing procedure, is based on reasonable suspicion that the person is using drugs or alcohol or is based on the licensee's acting as if in an impaired condition.

15.2.2.8(V)(1) EJECTION AND EXCLUSION An association shall immediately eject from the association grounds a person who is subject to such an exclusion order of the commission or stewards and notify the commission of the ejection.

15.2.2.8(V)(2) EJECTION AND EXCLUSION An association may eject or exclude a person for any lawful reason. An association shall immediately notify the stewards and the commission in writing of any person ejected or excluded by the association and the reasons for the ejection or exclusion.

This ruling is written in accordance:

15.2.1.9 (B)(3)(b) Summary Suspension

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47.1.8 (L)(1)(i) – Conduct Which states in pertinent part "The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures if the applicant is a person whose conduct or reputation may reflect on the honesty, and integrity of horse racing"

15.2.3.8 B (3)(A) Stewards Disciplinary Action stewards shall take notice of alleged misconduct or rule violations and initiate investigations into the matters. The stewards shall have authority to charge any licensee for a violation of these rules, to conduct hearings and to impose disciplinary action in accordance with these rules.

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address